



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

NOTICE OF PROPOSED ACTION

Web Posting Date- 11/26/07

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following Notice of Proposed Action under the Nevada Revised Statutes. The Administrator has received an application for a Groundwater Discharge Permit for a Zero-Discharge Industrial Facility, Permit NEV2007510, from the following applicant:

Niotan, Inc.
18 Bruce Way
Mound House, NV 89706

Niotan, Inc. (Niotan) operates a facility for the production of produces highly purified capacitor grade tantalum powder. As a result of tantalum production, Niotan generates highly saline wastewater, which it supplies for dust control at the Lockwood Landfill. The applicant proposes the construction of a double-lined and leak-detected holding pond for wastewater, meeting recognized State of Nevada standards of performance for zero-discharge facilities. Monitoring and reporting of the pond parameters is required to ensure that the pond containment system is maintained in a zero-discharge condition. The Division has made the tentative determination to issue the proposed zero-discharge permit for a period of five (5) years. . The zero-discharge permit conditions require total containment of the wastewater fluid; any discharge of these fluids to the environment is not allowed.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand-delivered or postmarked no later than 5:00 P.M. on December 28, 2007, either in person or by mail to:

Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
901 S. Stewart Street, Suite 4001
Carson City, NV 89701-5249

Comments and/or hearing requests received via facsimile or e-mail before 5:00 P.M. December 26, 2007 will also be accepted. All requests for hearings must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted. All comments or objections received within the thirty (30) day comment period will be considered in the

formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. The public notice of such hearings will be issued not less than thirty (30) days prior to the public hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Janine Hartley, Bureau of Water Pollution Control at (775) 687-9458, or at jhartley@ndep.nv.gov. The office facsimile number is (775) 687-4684. This notice and the Fact Sheet for this facility are also available on the NDEP website at www.ndep.nv.gov/admin/public.htm.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.